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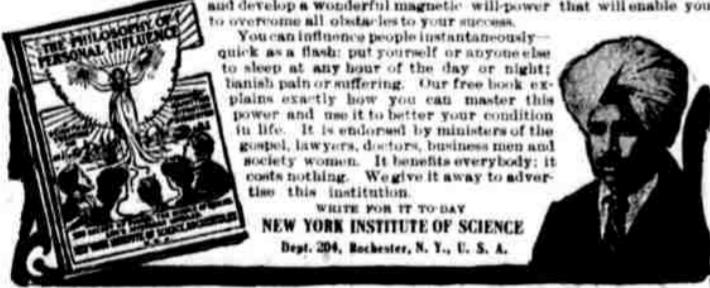
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AUTO LAW IS HELD LEGAL

(Continued from Page 1)

Municipal corporations—powers of, rules or procedure. A municipal board can neither enlarge nor restrict its charter of powers. A so-called rule of procedure, which purports to restrict the powers of the municipality is without force as against the validity of an ordinance passed in pursuance of statutory authority.

Id—rules not invoked—how waived. A municipal board may waive its rules of procedure, either by formal action or by failure to invoke them, or by ignoring them if no objection is raised.

Id—ordinance, title of. The title of an ordinance if it fairly indicates to the ordinary mind the general subject of the ordinance, is comprehensive enough to reasonably cover all its pro-

visions, and is not calculated to mislead.

Id—Ordinance in conflict with statute. No ordinance shall be held invalid on the ground that it covers any subject or matter embraced within any statute or statutes of the Territory, whether such ordinance is in conflict with any such statute or statutes or otherwise.

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KAHUNA WOMAN
DRANK TOO MUCH

Standing silent in police court this morning, Mrs. Kanikaula, known as a great "kahuna" during the days of the monarchy, refused to answer to the charge of drunkenness when asked by acting Interpreter Weed if she had anything to say regarding the charge.

Wearing red apparel with an old lei around her neck, she stood motionless before Judge Monksrat. The judge fined her \$5 and costs of court for being drunk in public.

Continuing, he says: "The prime

GOVERNOR, ANSWERING KUHIO, CLAIMS HOMESTEAD PROGRESS

Chief Executive Says Delegate
Is Inexcusably Ignorant
or Insincere.

POINTS TO RECORD UNDER ADMINISTRATION

Long Printed Reply Takes Up
Many Specific Instances Accuser Had Pointed Out.

Governor Frear received from Washington late yesterday afternoon cabled authority to make public here the text of his reply to Delegate Kuhio's charges, and the rep was given out.

The Bulletin's Washington correspondent earlier in the day had cabled a summary of the answer to this paper, which gave Hawaii the first news of the line the Governor had followed in his answer.

Governor Frear first takes up in a general way the charges made by the Delegate, answers them as enumerated, and proceeds to specific instances where he was accused of laxity or maladministration. In a sort of preamble, he summarizes what the Delegate has complained of. He says: "He (the Delegate) relies much upon the articles by Ray Stannard Baker in recent numbers of the American Magazine, which he regards as 'most accurate as to facts,' in every particular except 'one.' That 'one' is not the statement, and he takes no exception to this, that 'the business interests of the islands' pay his secretary's salary, which is said to be larger than that of the Delegate himself, and that 'in all matters of real importance to the big interests of the islands he is the actual representative. He, with the high-salaried legal agent of the Planters' Association, who is always in close attendance during Congressional sessions, are the real ambassadors of King Sugar from Hawaii.' The 'one' statement to which he takes exception in these articles which he declares are so accurate in all other respects is that in regard to me; he finds difficulty in explaining such statements as that, 'the Territorial Government, led by Governor Frear, succeeded in getting the land laws so changed in Congress as to encourage homesteading by citizen settlers.' Their idea is to get white people who will really live upon and work the land; or the statement in which Mr. Baker speaks of the opposition of the Governor to an attempt on the part of the sugar planters to get the laws further amended so that the cane land leased by the government to them shall be leased again to them and not be divided among settlers; or the statement that I am a 'progressive,' though 'mildly' so, and that I have thrown my influence with the group that 'tends to more democracy rather than less. It would like to see more white citizens and settlers, it would entrust more and more power to the present local governments, it would pursue a vigorous policy of popular education no matter what the ultimate outcome, it already demands an elective commission government for the City of Honolulu and a direct primary system'; or the statement in which, after referring to the Territorial Bureau of Immigration as representing the progressive element among the planters, he says that, 'it seeks to bring in white men and to offset oriental immigration by that of peasant white labor from Europe. It hopes thus to 'Americanize' the islands. It has the hearty support of men like Governor Frear and Dr. Victor S. Clark, who is the leading spirit in the territorial board and who is intensely in earnest on this subject.'

"I must confess that I am neither a socialist nor an anarchist and that I believe in constructive rather than destructive policies, and I hope that I am not going too far in saying that my administration has been known in Hawaii at least not as reactionary or retrogressive but as peculiarly constructive and progressive. No one realizes more than I that industrial and social conditions in Hawaii are far from perfect; no one is more earnest than I in endeavoring to correct these conditions; nor has anyone greater faith that they can be corrected. But that any one man can bring about Utopian conditions in a few years is a fact that I do not pretend to be able to accomplish—a fact, indeed, that has not been accomplished in the ninety years since civilization obtained a footing in Hawaii, and has not been accomplished in far longer periods in other countries under more favorable conditions. I have given myself unreservedly to this work day and night. My method has been that of investigation and logical action based thereon. I have opposed special interests whether large or small without discrimination where their interests seemed to conflict with the public interests, and have found it more difficult to oppose the small than the large ones. The 'interests,' I fear, do not agree with the complainant that I have been too friendly toward them. Much progress has been made, but upon this complainant is silent."

Continuing, he says: "The prime

factor in the homestead problem in Hawaii is the smallness of the area available for that purpose. The first essential, therefore, is the conservation of the available public land for genuine homesteading. Such land should neither be put beyond availability for that purpose by the disposition of large areas for other than homestead purposes, nor be wasted by disposition in small areas to mere speculators or investors under the guise of homesteading."

Referring to the charges of a sea-transportation monopoly, he says: "Transportation between the islands is conducted chiefly by the Inter-Island and Steam Navigation Company. Perhaps the best way for regulating this would be through a public utilities commission, but bills introduced in the legislature, not, however, at my instance, for that purpose have thus far failed of passage. I understand that it is against the policy of Congress to include steamship companies of this kind under the Interstate Commerce law, but when a move to secure that was made some time ago the complainant cabled to the business organization in Honolulu for advice and was advised not to proceed, which advice he apparently followed. I hope that the marketing bureau of the Department of Immigration, above referred to, with the establishment of which I have had much to do, will succeed in obviating some of the difficulties hitherto said to be experienced by small shippers. Another partial remedy is the construction of a good harbor on each island so that shipments may be made direct to other countries without transportation to Honolulu and transhipment there."

Of street railway transportation he says: "There is only one street railway in Honolulu. A little more than one-third of the thirty years of its franchise has expired. At the last session of the legislature a bill was passed granting an extension of twenty years and changing the franchise in other respects. Perhaps the hardest thing I had to do during that session was to pocket-veto that bill. It came to me too late to be vetoed satisfactorily in the usual manner. The company by reason of its good public service was entitled to much consideration. From its standpoint the changes in the franchise would enable it to give better service and build extensions for which there is considerable need. On its face the bill appeared fair, but a careful analysis of it and the original franchise showed clearly as it seemed to me, that it was not in the public interest. The legislature also passed a bill granting, subject, of course, to the approval of Congress, a franchise for a street railway at Hilo. Many amendments were made in this on my suggestions in the public interest, and since then I have insisted that the grantee consent to further amendments in the same direction by Congress as a condition of obtaining a license to use certain water for generating power for operating the rail-way."

Concerning the progress of homesteading, he claimed: "Since the amendments of a year and a half ago about 1,500 homesteads have been opened and nearly 300 more have been surveyed and are about to be opened. There are now open and ready to be taken immediately upon application more than a thousand homesteads, some of which are on cane lands and others on other lands."

"The public land question, which had long been one of the most disturbing political issues, was practically eliminated from the last election campaign in consequence of these amendments.

"Proper homestead laws and their proper administration are not, however, the only essentials to successful homesteading. There is also the important matter of transportation facilities, which will be considered under another heading. There is also the important matter of financial aid in view of the large amount of capital required to cultivate and the length of time required for crops. A partial solution of this problem is one of the incidental results of the amendment to the land laws. The plantations find that they can no longer collude, whether willingly or unwillingly, with fake homesteaders."

"Of the Delegate's own motives, he makes this statement:

"Two things stand out strikingly in the specifications: first, that the complainant has indulged in a reckless disregard of the truth in what he states as facts; and, secondly, that the facts are as a rule matters of record and so beyond dispute.

"If the general charges have no better basis than the specifications, they must be the product of either inexcusable ignorance or audacious insincerity."

On the Hilo wharf matter he states: "Two specific matters are referred to in connection with the Hilo Railroad Company, apparently with the intention to hold up the railroad company, and inserting other features on its own account. I have had nothing to do with this matter to the present time, either on the side of the government or on the side of the railroad company. It was a matter exclusively for the Board of Harbor Commissioners. That Board seems to have arrived at a conclusion satisfactory to the public."

An order has arrived transferring Dr. Ernest K. Johnstone, Medical Reserve Corps, from Fort Shafter to Schofield Barracks, on the arrival of his relief on the Sherman, Dr. Johnstone is one of the oldest officers at Shafter in point of service there, having been attached to the post for more than two years.

The troops from Leilehua that march in the military parade the morning of the 22nd will have a chance to see the floral parade and attendant gaieties in the afternoon.

At the conclusion of the review they will receive liberty until the following morning, when the infantry, cavalry and field artillery commands will start the return hike to Schofield.

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Twenty-seven marines from Camp

Very will be sent to the Philippines and China on the Sherman. The men are keen for service in the Far East, and the call for volunteers brought out double the number of applicants than there were positions for. No short timers are sent on this service.

According to latest wireless reports the Sherman will arrive at 5 o'clock.



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NOTHING ELSE, just as
you expect good clothes
and NOTHING ELSE,
and that is just what we
furnish you with and
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HIGH INFANTRY SPREADING TAFT OFFICERS ON SHERMAN GOSPEL TO ALL ISLANDS

The transport Sherman, due here tomorrow afternoon at 5 o'clock, will bring two high ranking officers to Honolulu for regular duty with the Second Infantry. They are Colonel Jas. H. Rogers and Major Ernest V. Smith, the latter being regularly assigned to the regiment, while the former is merely attached to it. Both officers have been expected here for some time, their orders having been made public two months ago.

Colonel Rogers comes from Vancouver Barracks, Washington. His arrival will mean that the Second will virtually have two full Colonels—Colonel Mansfield to command it and Colonel Rogers as executive officer. The fact is that Schofield Barracks has

already assumed the proportions of a brigade post, with a full regiment of cavalry, two battalions of infantry, half a regiment of field artillery, a large signal corps and at least one full regiment of infantry expected here soon, and Colonel Mansfield has more than enough to do as post commander. There are number of Colonels unassigned on the Army lists now, and the move of attaching one of them to the Second as executive is looked on with favor at department headquarters.

Major Smith comes here by virtue of a paper transfer with Major Bandholz, who has been carried on the rolls of the Second right along, but who really holds the rank of Brigadier General in command of Philippine Constabulary. There is no prospect of his being ordered back to his regiment in the near future, so Major Smith was transferred to the Second from the Eighth Infantry.

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Sachs for Dry Goods

FIFTH CAVALRY BAND IN PARADE

Director General Arthur F. Wall of the Floral Parade has received the good news that the Fifth Cavalry band from Schofield Barracks will be in the parade.

A few days ago Director Wall took the matter up with Col. F. W. Mansfield of Schofield Barracks, and the cavalry commandant made a cordial and hearty reply to the communication, assuring the director that the band will come. A mounted band in the Floral Parade line will be a big feature.